

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SADAT F. MOUSA,

Plaintiff,

v.

KAMALA D. HARRIS, et al.,

Defendants.

NO. C13-140 TEH

ORDER TO SHOW CAUSE  
WHY SANCTIONS SHOULD  
NOT BE IMPOSED

For the reasons given below, the Court now orders Albert Loeb Boasberg, Esq. to show cause why sanctions should not be imposed on him for failing to file responses to Defendants' motions to dismiss, or file a timely amended complaint.

This case was filed on January 10, 2013, by Plaintiff Sadat F. Mousa, who at the time was unrepresented by counsel. Mousa's complaint sets out claims under section 42 U.S.C. § 1983 and California state law against the State of California and California Attorney General Kamala D. Harris (together, "State Defendants"), the City and County of San Francisco and several of its subdivisions (together, "City Defendants"), and Murray Zisholz, an attorney who represented Mousa in a criminal case in California state court. The case was originally assigned to Judge Elizabeth D. Laporte.

Zisholz filed a motion to dismiss Mousa's complaint on April 9, 2013, and a response deadline was set for April 26, 2013. On April 17, 2013, Boasberg entered his appearance in this case. Boasberg failed to file a response to Zisholz's motion.

On May 10, 2013, the State Defendants declined to consent to Judge Laporte's jurisdiction, and the case was reassigned to this Court. On May 13, 2013, the City Defendants filed a motion to dismiss. Zisholz re-noticed the motion to dismiss he had previously filed with Judge Laporte on May 15, 2013, and the State Defendants filed a

1 motion to dismiss on May 17, 2013. Responsive pleadings were due by May 28, 29, and 31,  
2 respectively.


3 On June 3, 2013, no responsive pleadings having been filed, the Courtroom Deputy  
4 Clerk called Boasberg to bring the missed deadlines to his attention. Boasberg informed the  
5 Clerk that he intended to file an amended complaint in this action. Any amended pleading  
6 was due no later than 21 days after the service of Defendants' motions to dismiss. Fed. R.  
7 Civ. P. 15. Boasberg did not file an amended pleading.

8 On June 24, 2013, Boasberg appeared, together with his client, Mousa, at the hearing  
9 on Defendants' motions to dismiss. The Court informed Boasberg that it intended to issue an  
10 order to show cause why sanctions should not be imposed for his failure to respond to  
11 Defendants' motions. In response, Boasberg stated that he had not filed a responsive  
12 pleading or amended complaint because Mousa had failed to meet his financial obligations to  
13 Boasberg's law office. Boasberg stated that he intended to file a motion asking the Court to  
14 permit him to withdraw as counsel, but offered no explanation for his failure to fulfill his  
15 obligation, as counsel of record, to meet the deadlines imposed by the Court pursuant to the  
16 Federal Rules of Civil Procedure and the Civil Local Rules. Boasberg requested an  
17 opportunity to respond in writing to an order to show cause.

18 Accordingly, for the reasons given above, IT IS HEREBY ORDERED that Albert  
19 Loeb Boasberg shall appear at a hearing on **July 15, 2013 at 10:00 a.m.** at 450 Golden Gate  
20 Ave., Courtroom 2 and show cause why monetary or other sanctions should not be imposed  
21 for his failure to respond to Defendants' motions to dismiss or file a timely amended  
22 complaint. Any written response to this Order to Show Cause shall be filed on or before  
23 **July 1, 2013.**

24  
25 **IT IS SO ORDERED.**

26  
27 Dated: 06/25/2013



THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT